DETAILED ACTION

Response to Amendment

In the amendment filed 2/9/2008, the following has occurred: claims 1-24 have been canceled. Now, claims 25-27 are presented for examination.

1-24 (cancelled.)

Claim Objections

1.   Claim 34 (new) is objected to because of the following informalities: The claim uses poor English grammar as the word "invite" is a verb and the context requires a noun. Appropriate correction is required. (cf. original claim 22)

2.   The last claim in the amended claims is labeled 36 (new) thereby repeating the label of the preceding claim. For purposes of prosecution Examiner assumes this should have been labeled "37 (new)".

3.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claim 32 (new) is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. "a static dynamic price instability alert" and "a separate dynamic price instability alert" is critical or essential to the practice of

the invention, but not included in the claim(s) is not enabled by the disclosure.
See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

6.   Claim 32 recites an ""a static dynamic price instability alert and a separate
dynamic price alert that senses the direction of the security and moves the price
instability alert target larger or smaller accordingly."

7.   An alert is not recited in the specification.

8.   The terms "static" and "dynamic" are mentioned only in paragraph [0096]
in another context.

9.   No mention is made of how the sensing is done.

10.   No mention is made of how an alert can sense.

11.   The language "alert that senses the direction of the security and moves
the price instability alert target larger or smaller accordingly" fails to recite what is
being done or how it is accomplished.

For purposes of prosecution Examiner interprets the instability alert to mean
exceeding the limits of preset parameters.

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for
all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

13.   Claims 25-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee US 2002/0133446 A1 in view of Milam US 2002/0138385 A1.

As per claim 25 (new), Lee US 2002/0133446 A1 teaches a securities transaction system comprising of:

a system with a computer processor means for processing data ("In accordance with the first aspect of the present invention, the data processing unit further comprises a client paging supporting module which retrieves client paging information and transmits client paging signal to the client terminal that is registered to be informed at the predetermined paging time in case that present stock price of an item registered by the investment information and management module is matched with the reserved bidding price (buy bidding price range or sell bidding price range). Lee Pub. No.2002/0133446 A1 paragraph [0016]);

storage means for storing said data on a storage medium ("The present invention further relates to a method for supporting stock exchange and a storage medium storing a computer program for implementing the same method. Lee Pub. No.2002/0133446 A1 paragraph [0001]);

communication means for transmitting dam in a secure environment to and from various remote locations ("...and an information sending/recording and terminal management module for selecting appropriate communication protocol and establishing connection to the communication network..." Lee Pub. No.2002/0133446 A1 paragraph [0017]); and

computer software means for creating and displaying trade data concerning a particular trade of a company in the form of a trade record ("and an information sending/recording and terminal management module for selecting appropriate communication protocol and establishing connection to the communication network such that the client paging information decided to be sent to the client by the priority determination module is classified into appropriate data formats so as to be automatically displayed on web pages provided by corresponding mobile communication service providers, and storing transmission-reserved information in a memory. Lee Pub. No.2002/0133446 A1 paragraph [0017])

that contains symbols indicating that the seller or buyer has a connection to the company ("The web page of FIG. 4 includes a plurality of buttons each of which is linked with a web page having information related to the each of buttons, wherein the buttons include "register an individual investment," "register a group investment," "retrieve an individual investment," "retrieve a group investment," "display list of clients by a group," "print list of items invested by an individual," "print list of items invested by a group," "display list of all clients," "register investment fund," and "retrieve investment fund." Lee US 2002/0133446 A1 ¶ [0142])

in which the total number of outstanding securities are entered per beneficial rights holder; corporate or trust holder. ("The step (c1) further supports registration of stock transaction reservation information and reservation transaction execution, and updates the stock transaction reservation information

in response to the execution results of reserved transaction." Lee Pub.
No.2002/0133446 A1 ¶ [0071])

Lee US 2002/0133446 A1 fails to explicitly teach that said trade record
allows the creation of a electronic capitalization table that has corresponding
accounts for each beneficial rights holder or trust holder in the capitalization table
in which the total number of outstanding and authorized securities for an issuer
are entered.

Milam teaches "a Mall Chart^{TM} configured to include one or more of:
elements of the Galt Score^{TM} reflecting the life cycle status, a capitalization table
to facilitate valuing the company at each stage of the life cycle, and links to the
cash-flow statement and revenue projections from the start-up's financial
forecasts." (Milam Pub. No 2002/0138385 A1 paragraph [[0060])

It would have been obvious to one of ordinary skill in the art at the time of
the invention to modify the invention of Lee to include the capitalization feature of
Milam Pub. No 2002/0138385 A1 "to facilitate valuing the company at each stage
of the life cycle" (Milam Pub. No 2002/0138385 A1 paragraph [[0060]).

As per claim 26 (new), Lee US 2002/0133446 A1 further teaches a system
according to claim 25 in which said system is a data processing system. ("In
accordance with the first aspect of the present invention, the data processing unit
is a server of a securities firm or an investment consultancy firm, the server
supporting stock exchange and providing stock transaction information." Lee
Pub. No.2002/0133446 A1 paragraph [0009])

As per claim 27 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 in which said system is processed in a client server system. ("Further, the stock exchange supporting program can be operated by being loaded on a client server or a client terminal based on a personal computer having a web browser which is able to edit or display web documents and is connected to the sever of the securities firm or the investment consultancy firm." Lee Pub. No.2002/0133446 A1 paragraph [0050])

As per claim 28 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 in which said system is connected to through the Internet. ("The client informed of the consultancy information from the investment consultancy firm can directly make an order through the securities firm in which the account is opened by telephone, internet or terminal connected to a computer of the securities firm." Lee Pub. No.2002/0133446 A1 paragraph [0222])

As per claim 29 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 in which said system is connected to wireless devices. ("The client may enter the stock transaction reservation a information by key-in using the module 110. The stock transaction reservation information includes client identification (ID) information and client paging information such as terminal ID on the client's communication network, e-mail address or radio pager number,

and predetermined paging time. ." Lee Pub. No.2002/0133446 A1 paragraph [0222])

As per claim 30 (new), Lee US 2002/0133446 A1 further teaches a system, as claimed in claim 25 wherein said computer software means further comprises: means for inputting ("In accordance with the first aspect of the present invention, the data processing unit further comprises a client paging supporting module which retrieves client paging information and transmits client paging signal to the client terminal that is registered to be informed at the predetermined paging time in case that present stock price of an item registered by the investment information and management module is matched with the reserved bidding price (buy bidding price range or sell bidding price range). Lee Pub. No.2002/0133446 A1 paragraph [0016]) and

storing system information on said storage means. ("The present invention further relates to a method for supporting stock exchange and a storage medium storing a computer program for implementing the same method. Lee Pub. No.2002/0133446 A1 paragraph [0001])

As per claim 31 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 in which the trading of securities are done directly between rights holders. ("Further, by using the stock exchange supporting system in accordance with the present invention, it is possible to alternately execute buy transactions and sell transactions of stock exchange up to n_{th} times by registering

the stock transaction reservation information once." Lee Pub. No.2002/0133446

A1 ¶ [0007])

As per claim 32 (new), Lee US 2002/0133446 A1 further teaches a system

according to claim 25 in which the system creates a static dynamic price

instability alert and a separate dynamic price instability alert that senses the

direction of the security and moves the price instability alert larger or smaller

accordingly. ("In response to the registered stock transaction reservation

information, the stock exchange supporting system continuously or regularly

monitors present stock prices of the items which is registered to be transacted by

the clients, directly executes transaction of stock exchange of the items when

present stock prices of the items meet the registered investment parameters or

investment condition, and provides the client with results of transaction execution

through client paging supporting systems at a predetermined paging time.

However, instead of directly executing transaction of the stock exchange when

present stock prices of the shares meet the registered investment parameters,

the system can provide the client with the real time stock price information, so

that the clients can make a transaction execution order of stock exchange by

themselves." Lee Pub. No.2002/0133446 A1 paragraph [0002])

As per claim 33 (new), Lee US 2002/0133446 A1 further teaches a system

according to claim 25 in which the system moves an existing beneficial fights

bolder order book into a market auction after a price instability alert. ("In

response to the registered stock transaction reservation information, the stock exchange supporting system continuously or regularly monitors present stock prices of the items which is registered to be transacted by the clients, directly executes transaction of stock exchange of the items when present stock prices of the items meet the registered investment parameters or investment condition, and provides the client with results of transaction execution through client paging supporting systems at a predetermined paging time. However, instead of directly executing transaction of the stock exchange when present stock prices of the shares meet the registered investment parameters, the system can provide the client with the real time stock price information, so that the clients can make a transaction execution order of stock exchange by themselves." Lee Pub. No.2002/0133446 A1 ¶ [0002]) and ("The message including code of item, title of item, present stock price, buy/sell recommendation, buy bidding price or sell bidding price and volumes is inputted into the input box for receiving message. If the button "paging" is selected on the web page, the inputted information is sent to the client's pager by way of mobile communication service provider." Lee Pub. No.2002/0133446 A1 ¶ [0291])

As per claim 34 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 which creates a invite to a shareholder who is not part of said system. ("Transmission system for providing sales information to whom seeks to good bargains." Lee Pub. No.2002/0133446 A1 ¶ [0306])

As per claim 35 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 which displays the beneficial rights holder in the order book during the auction bid mad ask book creation. ("The message including code of item, title of item, present stock price, buy/sell recommendation, buy bidding price or sell bidding price and volumes is inputted into the input box for receiving message. If the button "paging" is selected on the web page, the inputted information is sent to the client's pager by way of mobile communication service provider." Lee Pub. No.2002/0133446 A1 ¶ [0291])

As per claim 36 (new), Lee (US 2002/0133446 A1) teaches a system according to claim 25

Lee (US 2002/0133446 A1) fails to explicitly teach a system which displays and discloses the capitalization table to an issuer and other market participants as each security trade occurs.

Milam (US 2002/0138385 A1) further teaches " a Mall Chart™ configured to include one or more of: elements of the Galt Score™ reflecting the life cycle status, a capitalization table to facilitate valuing the company at each stage of the life cycle, and links to the cash-flow statement and revenue projections from the start-up's financial forecasts." (Milam US 2002/0138385 A1 ¶ [0060])

As per claim 37 (new), Lee US 2002/0133446 A1 further teaches a system according to claim 25 in which the symbol are for a Director or Officer, or an Executive or an employee (EM), an Advisor or Consultant.

("The step of (c1) provides at least one web page which includes input boxes for receiving client identification information, password, client's registered number, code or title of item to be transacted, and volumes and value amount to be transacted. The step of (c1) supports registering, retrieving or printing list of the items to be transacted and list of clients." Lee US 2002/0133446 A1 ¶ [0142])

Response to Argument

In the argument/remarks filed 2/19/2007, Applicant has stated

(1) "Applicant has address the 103 Section rejections by adding new limitation such as being sold by a broker which was not in the original claims and the referenced art ofLee(US 2002/0133446) or Miam (US 2002/0138385)."

(2) "This new art is for a symbol that indicant if the seller or buyer has any special connection to the company."

As per argument (1), Examiner respectfully submits that the term "broker" does not appear in the amended claims. Also, Lee (Pub No.2002/0133446 A1) teaches "In accordance with the first aspect of the present invention, the data processing unit is a server of a securities firm or an investment consultancy firm, the server supporting stock exchange and providing stock transaction information." Lee Pub. No.2002/0133446 A1 paragraph [0009]) which can include brokerages, inter alia.

As per argument (2) Lee (Pub No.2002/0133446 A1) teaches "The web page of FIG. 4 includes a plurality of buttons each of which is linked with a web page having information related to the each of buttons, wherein the buttons include "register an individual investment," "register a group investment," "retrieve an individual investment," "retrieve a group investment," "display list of clients by a group," "print list of items invested by an individual," "print list of items invested by a group," "display list of all clients," "register investment fund," and "retrieve investment fund." Lee US 2002/0133446 A1 ¶ [0142]) which comprehensively includes buyers, sellers and their identifications with companies or individually.

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald C. Vizvary whose telephone number is 571-270-3268. The examiner can normally be reached on Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Dixon can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4268.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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